

EXHIBIT 7

GLOWACKI v. HOWELL PUBLIC SCHOOL DISTRICT, ET AL

AARON MORAN

September 5, 2012

Prepared for you by



Bingham Farms/Southfield • Grand Rapids
Ann Arbor • Detroit • Flint • Jackson • Lansing • Mt. Clemens • Saginaw

AARON MORAN
September 5, 2012

Page 9

Page 11

1 or a student came to the office and I was there
2 to deal with it, then I would deal with it.
3 But it wasn't the main focus.

4 Q. Was there ever a situation where
5 you would have the final say after speaking
6 with the assistant principals in a disciplinary
7 matter with a student?

8 A. Sometimes things would get
9 appealed to me. Then that would be my final
10 decision, too, in that process.

11 Q. And did that ever happen with
12 teachers as well?

13 A. Yes. Well, I'm trying to remember
14 if there was discipline. With evaluations,
15 that was part of the grievance process is that
16 I would be part of the grievance process. The
17 building principal was part of that grievance
18 process, so that could be discipline or others.

19 Q. I'm going to ask you about
20 evaluations, just generally.

21 A. Okay.

22 Q. Can you describe for me what you
23 mean by evaluation? Is it a one-time
24 evaluation after something occurs or is it,
25 like, a yearly or a monthly evaluation?

1 Q. Is there a set of criteria that
2 you would judge a teacher on?

3 A. It's in the -- I don't recall
4 offhand what they were, but there's a rubric --
5 or not a rubric -- but there's what was agreed
6 upon in the contract.

7 Q. And the contract between the
8 school district and the --

9 A. Teacher's association.

10 Q. The HEA, is it the Howell --

11 A. Yes.

12 Q. What else would you do to watch
13 over the teachers and make sure that they were
14 following school policies?

15 A. Communication.

16 Q. And what do you mean by
17 communication?

18 A. Communication of expectations.

19 Q. Would you have meetings or was
20 this done by e-mail?

21 A. It could be both.

22 Q. Were there certain trainings in
23 place before the school year began?

24 A. There previously had been
25 trainings on various things.

Page 10

Page 12

1 A. According to contracts, you have
2 to do evaluations, formal observations of
3 teachers. So that would be part of the
4 evaluation.

5 Q. What exactly is involved in an
6 evaluation?

7 A. Formal observation of the
8 teacher's classroom for a minimum amount of
9 time, dialogue, possible dialogue in regards to
10 the observations.

11 Q. So you would go into the teacher's
12 classroom. Was this known to the teacher or
13 not?

14 A. Yes.

15 Q. And for how long would you stay in
16 the teacher's classroom?

17 A. For the formal observations, it
18 had to be a minimum of thirty-five minutes.

19 Q. And what would you do in
20 evaluating the teacher, just observe them
21 and --

22 A. Observation of the classroom.

23 Q. What would you look for?

24 A. Student engagement, focus of the
25 lesson.

1 Q. What kind of trainings?

2 A. Making sure people -- staff knew
3 how to use the new grade book application, the
4 electronic grade book application, done various
5 trainings.

6 Q. Was there ever trainings about
7 antibullying?

8 A. Yes.

9 Q. And if -- to the best of your
10 recollection, when did the training occur?

11 A. It was a couple years ago, right
12 around this time or maybe -- yeah, right around
13 this time a couple years ago, sometime in
14 probably August.

15 Q. In August of 2010?

16 A. 2010, yes.

17 Q. And who gave the presentation on
18 antibullying?

19 A. Dr. McEvoy.

20 Q. Were you present at the
21 presentation?

22 A. Yes.

23 Q. And what was discussed?

24 A. Basically, to address issues of
25 bullying and how to do those things.

AARON MORAN
September 5, 2012

<p style="text-align: right;">Page 13</p> <p>1 Q. And what do you mean by how to 2 address an issue of bullying, if you can give 3 me an example? 4 A. If you see something, address it. 5 It doesn't have to mean that you are going to 6 write up a discipline referral. Maybe it's two 7 kids -- you are not sure what -- you know, what 8 it is, but address it and find out what it is. 9 You know, hey, that's not how we act here at 10 Howell High School, so they know that that 11 behavior is not tolerated and that it's not 12 going to be acceptable behavior. 13 Q. Who was present at the training, 14 was it geared -- 15 A. The high school staff. 16 Q. So teachers and administration of 17 Howell High School? 18 A. Yes. 19 Q. And who were called upon to 20 address the bullying, the teachers and 21 administrators? 22 A. Well, that's what it was -- that's 23 who the audience was, so that's who they 24 were -- that was one part of it. 25 Q. So a teacher is supposed to</p>	<p style="text-align: right;">Page 15</p> <p>1 that in my ground rules. If we nod or say 2 uh-huh or huh-uh, it's not picked up by the 3 court reporter. You actually have to say yes 4 or no, which is -- 5 A. Not a problem. 6 Q. -- a habit that I have as well. 7 MR. HENLEY: It also drives the court 8 reporters to distraction. 9 BY MS. MERSINO: 10 Q. I'm sorry, I didn't mean to put 11 you on the spot there. 12 A. No, I'm fine. 13 Q. So this training occurred in 14 August of 2010, and then a couple of months go 15 by in the school year. And then it's 16 October 20th of 2010. Do you recall this date? 17 A. Yes. 18 Q. And what is your recollection of 19 this date in regards to Mr. McDowell? 20 A. Just that there was a phone call 21 to me by the superintendent that he wanted to 22 see Jen Goodwin over at his office, who is the 23 assistant principal at the high school, about 24 some issue. 25 Q. When did the phone call from the</p>
<p style="text-align: right;">Page 14</p> <p>1 reprimand a student if they see behavior that 2 they consider to be antibullying [sic]? 3 A. That they consider to be bullying. 4 Q. Or, I'm sorry, bullying, you are 5 correct. 6 A. Yeah. 7 Q. And that was what the training was 8 teaching? 9 A. Going about how to address it. 10 Q. And address it directly? 11 A. Directly. 12 Q. And immediately upon seeing the 13 bullying activity? 14 A. (Nods head up and down.) 15 Q. I'm sorry, it has to be a verbal 16 answer. 17 A. I guess I'm not sure what you -- 18 Q. Oh, I saw you nodding. If you 19 could answer the question with a yes or a no? 20 A. Could you repeat the question for 21 me then? 22 Q. To address the bullying 23 immediately upon seeing it occur? 24 A. Correct. 25 Q. I'm sorry, I should have covered</p>	<p style="text-align: right;">Page 16</p> <p>1 superintendent occur? 2 A. It was after school, I'm guessing 3 around 4:00 o'clock. 4 Q. Was this the first time that you 5 heard anything about this? 6 A. I don't recall. 7 Q. Do you remember if anyone came to 8 you prior to 4 p.m. that day to talk about 9 Mr. McDowell and what happened in his 10 classroom? 11 A. I don't recall. 12 Q. So what happens when you received 13 this phone call from the superintendent? 14 A. I contact Ms. Goodwin and ask her 15 to come over to the superintendent's office. 16 Q. Do you go with her? 17 A. No, I wasn't with her. 18 Q. Did you speak with Ms. Goodwin 19 about why you received the phone call? 20 A. I believe I told her about 21 something that happened in Mr. McDowell's 22 class. 23 Q. And did she say anything to you? 24 A. I don't recall. 25 Q. Were you curious why the</p>

AARON MORAN
September 5, 2012

Page 45	Page 47
<p>1 you violated your student's First Amendment 2 right of speech. 3 Q. And why was that asked of 4 Mr. McDowell? 5 A. Because somebody thought it was 6 important to ask. 7 Q. Did you think that it was 8 important to ask? 9 A. I don't know. I don't recall. 10 Q. Now, you said that you didn't 11 think that Mr. McDowell handled the situation 12 well. What do you mean by that? 13 MS. BARTOS: Objection. I think the 14 word was appropriate. 15 THE WITNESS: I just felt that it 16 didn't -- wasn't handled appropriately. 17 BY MS. MERSINO: 18 Q. In what manner wasn't it handled 19 appropriately, in the way that the student, 20 Daniel Glowacki, was thrown out of class? 21 A. Well, the manner it was handled 22 from the beginning to the end. Asking the 23 student -- I think in Mr. McDowell's statement, 24 he asked the student his opinion. He asked it 25 again. He didn't like the answer.</p>	<p>1 made me aware of what the settlement was, that 2 this was going to be placed in the file, this 3 is what's going to replace it. I said okay. 4 Q. Do you agree and accept as your 5 own the statements in Exhibit 18? 6 A. Yeah. 7 Q. So when it says you are receiving 8 a written reprimand after an investigation into 9 an incident that occurred in your classroom 10 substantiated that you displayed a serious lack 11 of professionalism when you slammed your door, 12 raised your voice, and attempted to discipline 13 students for their beliefs. 14 Is that a correct statement that 15 you adopt? 16 A. Uh-huh. 17 Q. I'm sorry, is that a yes? 18 A. Yes, I'm sorry. 19 Q. And would you agree then with the 20 second paragraph as well, further, you 21 disregarded a student's constitutionally 22 protected rights to self expression to wear a 23 belt buckle which you found personally 24 objectionable, notwithstanding the fact that 25 there was no disruption to the class as a</p>
Page 46	Page 48
<p>1 Well, that doesn't make it okay to 2 kick him out of class because he doesn't agree 3 with you. I don't know about the 4 Constitution -- you know, his Constitutional 5 law rights, things like that. 6 Q. So by that statement, do you 7 mean -- you are not an attorney, correct? 8 A. Correct. 9 Q. But in your experience and what 10 you learned in your two master's degrees and 11 what you know about administrating in a high 12 school, that was inappropriate behavior to 13 punish a student for stating his opinion in 14 class? 15 A. It was inappropriate to do that. 16 Q. Now, Exhibit 27, this is something 17 that you authored; is that correct? It says to 18 Johnson McDowell from Aaron Moran? 19 A. No, this was something that I was 20 aware of this could be placed in his file. 21 Q. You didn't, yourself, write this? 22 A. No. 23 Q. Do you know who would have written 24 it? 25 A. The HR at the time authored it and</p>	<p>1 result of the student's apparel? 2 MR. HENLEY: Objection to the extent 3 it calls for a legal conclusion. 4 BY MS. MERSINO: 5 Q. Would you adopt that statement as 6 your own? Do you agree with it? 7 A. Yes. 8 Q. And the next sentence, in 9 addition, you loudly and angrily dismissed 10 another student from the class for expressing 11 an opinion which you deemed intolerant and 12 unacceptable in action which may have violated 13 the student's right to free speech? 14 MR. HENLEY: Objection to the extent 15 it calls for a legal conclusion. 16 THE WITNESS: Yes. 17 BY MS. MERSINO: 18 Q. That's a statement that you would 19 adopt as your own? 20 A. Uh-huh. 21 Q. Going back to the 20th, do you 22 remember very early in that morning receiving 23 an e-mail from the superintendent, Ron Wilson, 24 in regard to an antibullying or Gay-Straight 25 Alliance day?</p>

AARON MORAN
September 5, 2012

Page 49	Page 51
<p>1 A. Not a Gay-Straight Alliance day. 2 (Thereupon, Plaintiffs' Exhibit 3 No. 25, one-page series of e-mails, was marked for 4 purposes of identification.) 5 BY MS. MERSINO: 6 Q. I'll hand you what's been marked 7 as Plaintiffs' Exhibit 25, if you could review 8 the e-mail, the top e-mail on that page. 9 A. It's not a Gay-Straight Alliance 10 day. 11 Q. Is that an e-mail that you wrote? 12 A. Yes. 13 Q. And who did you send the e-mail 14 to? 15 A. Superintendent Ron Wilson. 16 Q. And had the superintendent 17 inquired if there was some sort of special day 18 going on at the high school on October 20th of 19 2010? 20 A. No, no special day. 21 Q. Did he inquire if there were a 22 special day going on? 23 A. Yeah. He asked -- I have had 24 several or -- well, I don't know how this is 25 printed off. It doesn't appear out of context.</p>	<p>1 flyer. I don't know. 2 Q. And when you say GSA, what is GSA? 3 A. Gay-Straight Alliance. 4 Q. And is that a club that's a 5 student club at Howell High School? 6 A. Correct. 7 Q. And how does it work? Is there, 8 like, a person who is a leader in the club who 9 will come to the office with a flyer for 10 approval or -- 11 A. Uh-huh, correct. 12 Q. And do you remember was there, 13 like, an officer of the GSA at Howell who came 14 to the office? 15 A. The group had dropped off flyers 16 to know if it would be okay to put up. 17 Q. And what exactly was the flyer? 18 A. Stop homophobia maybe, or I -- I 19 don't know. I don't recall. 20 Q. Did the flyer specify that there 21 was a special day on the 20th of October of 22 2010? 23 A. I don't recall. 24 Q. Was there any sort of discussion 25 about people wearing purple on that day?</p>
Page 50	Page 52
<p>1 Q. I'm just specifically asking about 2 your e-mail. 3 A. Today is an antibullying day. 4 Wear purple using this to stop homophobia. If 5 I hear of anything, I'll let you know. 6 Q. Okay. So which day was the 7 antibullying day? 8 A. There was a national antibullying 9 day on the 20th. 10 Q. The 20th of October? 11 A. October. 12 Q. And who was involved in the 13 antibullying day? 14 A. A lot of people. I don't know. I 15 mean, it was a national piece. 16 Q. A nationally sponsored -- 17 A. Yeah. I heard on the radio, 18 again, different places were doing it. One 19 place got their colors wrong on it on the 20 radio. But it was supposed to be a national -- 21 I mean, a national antibullying day. 22 Q. Did you hear about it then on the 23 radio? Did you hear a buzz about it at school? 24 A. I mean, I had seen a flyer, and I 25 approved it, to not be homophobic for the GSA</p>	<p>1 A. I think that might have been on 2 the flyer, but I'm not a hundred percent 3 positive. 4 Q. To wear purple. And do you know 5 if the day had, like, a special name? Was it 6 antibullying day? 7 A. Not off the top of my head, I 8 don't recall. 9 Q. Who is involved in the GSA? Is 10 there a teacher involved as well or just 11 students? 12 A. To have a student club you have to 13 have an adult mentor, you know, an adult 14 advisor. So we had a staff advisor. 15 Q. Who was the staff advisor for the 16 GSA, if you recall? 17 A. I believe it was Laura Stark. 18 Q. And what role would the staff 19 advisor have? 20 A. She would be at meetings basically 21 as a -- advisors are there just to supervise 22 students. 23 Q. Did you notice on the 20th of 24 October people wearing purple T-shirts? 25 A. No.</p>

AARON MORAN
September 5, 2012

Page 53	Page 55
<p>1 Q. Did you hear at any time before 2 this or after that there were T-shirts made 3 that were purple that said Tyler's Army on 4 them? 5 A. Yes, afterwards. 6 Q. After. And do you know who was 7 involved in the making of those T-shirts and -- 8 A. I believe it was -- Wendy Hiller 9 was the person. It was a teacher. 10 Q. And do you know, is she still 11 employed with Howell? 12 A. I believe so. 13 Q. And in addition to making 14 T-shirts, did you know of individuals who wore 15 the T-shirts on the 20th of October of 2010? 16 A. Afterwards. 17 Q. And who did it come to your 18 attention was wearing the T-shirts? 19 A. The only one I know is 20 Mr. McDowell, but I believe there were others. 21 Q. Were there students who were 22 wearing the T-shirts as well? 23 A. I do not know. 24 Q. And how many students would you 25 say are in the GSA, approximately?</p>	<p>1 Q. Was there, like, a stack of flyers 2 that were approved? 3 A. The flyers were approved. I don't 4 know how many. I don't know how many there 5 were. 6 Q. And once a flyer is approved to 7 advertise for a student event, then you said it 8 can be placed on different walls throughout the 9 school? 10 A. Correct. 11 Q. And the flyer for the GSA with the 12 antibullying day was placed throughout the 13 school? 14 A. I believe so. 15 Q. And it's approved with -- is it a 16 stamp or -- 17 A. Correct. 18 Q. Was there any activities that you 19 knew about scheduled for this day? 20 A. None that I'm aware of. Like 21 within the school? 22 Q. With the GSA. 23 A. No. 24 Q. So it was advertising for an 25 antibullying day, wear purple?</p>
Page 54	Page 56
<p>1 A. How many were there in there at 2 the time? 3 Q. Yeah. 4 A. Twenty maybe, fifteen. 5 Q. And would the GSA have a specific 6 bulletin board dedicated to them or is there, 7 like, a board for just student group 8 announcements? 9 A. No, they don't have a specific 10 board. What are you asking? 11 Q. Where would the flyer go after it 12 was approved? 13 A. They would put it up in areas of 14 the school where it would be noticed on walls 15 that were not, you know -- that are not -- not 16 putting on top of something, but they put it on 17 walls throughout the school, areas throughout 18 the school. 19 Q. Do you remember how many flyers 20 were approved? 21 A. No. 22 Q. More than one? 23 A. More than one. 24 Q. Less than twenty? 25 A. I don't know.</p>	<p>1 A. Yeah. It may have had -- I don't 2 know, but it may have had their next meeting 3 date on it, too. I don't know. I don't 4 recall. 5 Q. Did you receive any other contacts 6 from anyone prior to this happening in 7 Mr. McDowell's class involving the antibullying 8 day? 9 A. Not that I recall. 10 Q. Does the school district have a 11 certain policy regarding controversial issues? 12 A. Yes. 13 Q. And do you remember, was there 14 ever any discussion about whether or not there 15 should be a notice sent home to parents 16 regarding the purple T-shirt day, the 17 antibullying day? 18 A. No. 19 Q. Did Mr. McDowell ever ask for 20 permission to discuss teen suicide and 21 specifically issues with homosexual teenagers 22 committing suicide and discussing this in class 23 prior to October 20th? 24 A. Not that I'm aware of. 25 Q. Would you consider such a topic to</p>

AARON MORAN
September 5, 2012

Page 57	Page 59
<p>1 be a controversial issue?</p> <p>2 MR. HENLEY: As just in general or</p> <p>3 under the policy's terms?</p> <p>4 MS. MERSINO: Both.</p> <p>5 THE WITNESS: It depends what you</p> <p>6 are -- what you are discussing. It depends what</p> <p>7 class you are in. If you are talking a health</p> <p>8 class, suicide and things like that, I don't think</p> <p>9 that would be controversial. I think it would be</p> <p>10 part of your curriculum.</p> <p>11 BY MS. MERSINO:</p> <p>12 Q. In an economics class, do you</p> <p>13 believe that such a topic would be</p> <p>14 controversial?</p> <p>15 A. Yes.</p> <p>16 Q. Do you think parents of the</p> <p>17 students should have been contacted prior to</p> <p>18 Mr. McDowell bridging such a topic in his</p> <p>19 classroom?</p> <p>20 MR. HENLEY: Again, is this under</p> <p>21 policy or is this otherwise, just generally?</p> <p>22 MS. MERSINO: Both.</p> <p>23 THE WITNESS: My advice would be not</p> <p>24 to address it.</p> <p>25 BY MS. MERSINO:</p>	<p>1 Q. We had gone through now to the</p> <p>2 25th of October.</p> <p>3 A. Correct.</p> <p>4 Q. And on that day, it was decided</p> <p>5 that Mr. McDowell [sic] was going to be</p> <p>6 reprimanded for how he behaved in the classroom</p> <p>7 on the 20th of October.</p> <p>8 A. With Daniel Glowacki?</p> <p>9 Q. Yes.</p> <p>10 A. Okay. I thought you said</p> <p>11 McDowell.</p> <p>12 Q. Oh, I'm sorry if I did.</p> <p>13 MR. HENLEY: And I just have an</p> <p>14 objection as to mischaracterizing former</p> <p>15 testimony. I think the record reflects he was</p> <p>16 initially suspended for one day rather than being</p> <p>17 reprimanded. But with that on there --</p> <p>18 BY MS. MERSINO:</p> <p>19 Q. At some point later, did you</p> <p>20 become familiar that Mr. McDowell had posted</p> <p>21 certain statements on his Facebook page?</p> <p>22 A. Yes.</p> <p>23 Q. And how did you become familiar</p> <p>24 with that?</p> <p>25 A. I don't know, I think I might have</p>
Page 58	Page 60
<p>1 Q. And, again, he never came to you</p> <p>2 prior to this?</p> <p>3 A. Not that I remember, not that I'm</p> <p>4 aware of.</p> <p>5 Q. Are you familiar with the school</p> <p>6 district's policy regarding religious</p> <p>7 expression in the district?</p> <p>8 A. It's been awhile since I've</p> <p>9 reviewed it.</p> <p>10 Q. Are you familiar that school</p> <p>11 officials are called upon to intercede to stop</p> <p>12 students' speech that constitutes harassment</p> <p>13 aimed at a student group or a group of</p> <p>14 students?</p> <p>15 A. Uh-huh.</p> <p>16 Q. And is that a policy in place back</p> <p>17 in 2010 in Howell?</p> <p>18 A. I believe so.</p> <p>19 Q. Now, going back to the</p> <p>20 investigation, on the 25th of October, it was</p> <p>21 deemed that Mr. McDowell should be reprimanded</p> <p>22 for how he handled the situation with Daniel</p> <p>23 McDowell [sic]. At some point, did you become</p> <p>24 aware --</p> <p>25 A. Could you say that again?</p>	<p>1 just heard it from the superintendent,</p> <p>2 possibly.</p> <p>3 Q. So the superintendent discovered</p> <p>4 that Mr. McDowell was posting information about</p> <p>5 what happened with Daniel Glowacki on his</p> <p>6 Facebook page?</p> <p>7 MS. BARTOS: I'm going to object to</p> <p>8 how you characterize that, but go ahead.</p> <p>9 THE WITNESS: I don't know. I don't</p> <p>10 recall exactly how I heard about it. I heard</p> <p>11 about it. I don't have a Facebook page that I</p> <p>12 deal with or go look around at. So I used one for</p> <p>13 the school, and that's the only thing I used</p> <p>14 Facebook was for, not to communicate anything. So</p> <p>15 I don't have access to those things.</p> <p>16 BY MS. MERSINO:</p> <p>17 Q. Do you remember if Mr. McDowell's</p> <p>18 statement from his Facebook page was ever</p> <p>19 received by you?</p> <p>20 A. I don't recall. I don't recall</p> <p>21 ever seeing the --</p> <p>22 Q. What did --</p> <p>23 A. -- Facebook page.</p> <p>24 Q. What did the school do after</p> <p>25 learning this information?</p>

AARON MORAN
September 5, 2012

Page 61

Page 63

1 A. I don't know.
2 Q. Did you ever talk to Mr. McDowell
3 about it?
4 A. No.
5 Q. Do you remember receiving a phone
6 call from Mrs. Glowacki? This would be on
7 November 1st.
8 A. I received a few phone calls from
9 her.
10 Q. Do you remember when Mrs. Glowacki
11 called you at approximately 6:31 p.m. on
12 November 1st, and she was very upset?
13 A. Yeah, I said I don't recall the
14 specific time or date, I just know I had a few
15 conversations with her on the phone where she
16 would call me.
17 Q. And what happened during those
18 phone conversations?
19 A. She was unhappy the way her son
20 was being portrayed.
21 Q. And in what manner? What was she
22 referring to with her son being portrayed in a
23 certain way?
24 A. Being portrayed in the media.
25 Q. And the school didn't go to the

1 Mr. Wilson wanted to follow up on it.
2 Q. And it's an e-mail. It looks like
3 it's describing a phone call you had at 6:31
4 p.m.
5 A. Uh-huh.
6 Q. You followed up almost immediately
7 after at 7:35 p.m. on November 1st; is that
8 right?
9 A. Yeah.
10 Q. And would this be right after you
11 received the phone call from Mrs. Glowacki?
12 A. Yeah -- yes.
13 Q. And this was correct as to your
14 memory of what occurred during that phone call?
15 A. Yes.
16 Q. And you said that Daniel was taken
17 out of Mr. McDowell's class, correct?
18 A. Correct.
19 Q. Was that prior to November 1st?
20 A. Yes.
21 Q. And can you describe how he was
22 taken out, why he was taken out?
23 A. I believe the mother made a
24 request, and we honored the request to move him
25 to a different teacher.

Page 62

Page 64

1 media, correct?
2 A. I didn't go to the media. I don't
3 know what others did or didn't do. I didn't go
4 to the media.
5 Q. Do you remember Mrs. McDowell
6 [sic] ever making statements about how Mr. --
7 or I'm sorry. Do you remember Mrs. Glowacki
8 ever making statements about how Mr. McDowell
9 was treating her son after the incident?
10 A. No, I don't recall because we
11 removed them from class. So I don't think they
12 had -- I'm not aware of any other interactions,
13 but --
14 (Thereupon, Plaintiffs' Exhibit
15 No. 28, one-page statement entitled Incident on
16 10/20/10, by Jay McDowell, was marked for purposes
17 of identification.)
18 BY MS. MERSINO:
19 Q. I'm handing you Exhibit 28. Do
20 you recognize this?
21 A. Okay.
22 Q. Do you recognize Exhibit 28?
23 A. Yeah.
24 Q. And how do you recognize it?
25 A. It's an e-mail that followed up --

1 Q. And do you know why the request
2 was made? Was there ever any statement by
3 Mrs. Glowacki?
4 A. I believe there's a statement
5 somewhere requesting it, and we did.
6 Q. And why did you honor the request
7 of Mrs. Glowacki?
8 A. That was the best interest of
9 everyone, to honor the request.
10 Q. So Daniel Glowacki didn't have to
11 go back into the classroom?
12 A. Correct.
13 Q. Now, after the initial
14 investigation meeting, was there a second
15 meeting that occurred?
16 A. I don't know.
17 Q. Do you remember if there were
18 follow-up questions that you were asked to
19 voice to Mr. McDowell?
20 A. Yeah. I don't know the time
21 frame, but I was asked to follow up on it.
22 Q. Would it help to refresh your
23 recollection to review an e-mail?
24 A. Yeah.
25 Q. After reviewing this, is your

AARON MORAN
September 5, 2012

Page 69

Page 71

1 A. Yes.
2 Q. Does the syllabus have to be
3 approved by the principal or an administrator
4 before it's passed out to the class?
5 A. They are all turned in to me or
6 administration before or the beginning of the
7 year.
8 Q. And then you would review the
9 syllabus and approve its use?
10 A. Uh-huh.
11 Q. And you did that with
12 Mr. McDowell's syllabus?
13 A. He handed it in or e-mailed it to
14 me, and I reviewed it.
15 Q. What do you remember about the
16 class rules about homophobia in Mr. McDowell's
17 class?
18 A. I don't remember anything specific
19 about that. I remember about racism -- racism,
20 bigotry, things like that would not be
21 tolerated, which is one of our school code of
22 conducts as well.
23 Q. Do you remember anything about
24 respecting a person's religion in
25 Mr. McDowell's class rules?

1 Q. So were you privy to any of the
2 meetings where Mr. McDowell was challenging the
3 reprimand and the one day without pay?
4 A. I was at the initial piece in
5 November, but I don't know about -- I don't
6 know what else besides the end when I was aware
7 that a settlement had been reached and a
8 written reprimand.
9 Q. Were you ever contacted if you
10 agreed with the settlement?
11 A. I don't believe so.
12 Q. And were you aware that the
13 October 25th reprimand and one day unpaid
14 suspension are now removed from Mr. McDowell's
15 personnel file?
16 A. Yes.
17 Q. I'm handing you what's already
18 been admitted as Exhibit 13. Is that the
19 reprimand that you were talking about earlier?
20 A. Correct.
21 Q. And was that issued on the 25th
22 of --
23 A. Yes.
24 Q. -- October of 2010?
25 A. Correct.

Page 70

Page 72

1 A. No.
2 Q. Would it help to review? I'm
3 handing you Exhibit 15.
4 MS. BARTOS: Off the record.
5 (Thereupon, an off-the-record
6 discussion was had.)
7 BY MS. MERSINO:
8 Q. After reviewing Exhibit 15, does
9 it refresh your memory?
10 A. I don't recall anything about
11 freedom of religion in there. I didn't see it.
12 Q. And you are aware that some
13 religions have views that the correct
14 orientation, I guess, of sex would be for a man
15 to be with a female?
16 A. Yes.
17 Q. And that some religions disapprove
18 of the act of homosexual relations?
19 A. Yes.
20 Q. Are you familiar with the Catholic
21 religion holding that view?
22 A. Yes.
23 Q. Were you part of the settlement
24 process?
25 A. No.

1 Q. And it says that that memo is to
2 Mr. McDowell from yourself?
3 A. And Sandra Moore.
4 Q. Were you one of the people who
5 wrote this reprimand with Sandra Moore?
6 A. I was the -- I viewed it.
7 Q. Do you approve what's in the
8 reprimand on October 25th, 2010, Exhibit 13?
9 A. Yeah -- yes.
10 Q. If you want an opportunity to
11 review the statements again -- do you adopt and
12 agree with the statements in Exhibit 13?
13 A. Yes.
14 Q. And I think we discussed this. Do
15 you remember receiving anything that was
16 pertaining to Mr. McDowell's Facebook, like a
17 statement that he wrote out on Facebook?
18 A. I don't know. I don't recall.
19 Q. Do you remember receiving this
20 (indicating) via e-mail?
21 A. No.
22 Q. So it could have been just
23 verbally that you found out about Mr. McDowell
24 posting items?
25 A. Yeah, I don't -- that looks like a

AARON MORAN
September 5, 2012

Page 73	Page 75
<p>1 Facebook piece. I don't know. 2 Q. Now, after everything occurred on 3 the 20th of October of 2010, who decided to 4 have Dr. Marcia McEvoy come back to the school 5 to teach about antibullying? 6 A. That was decided a long time ago. 7 Q. So that was in place prior to this 8 event happening? 9 A. Correct. 10 Q. Were you aware of the event that 11 occurred on February 1st of 2011 in the 12 auditorium about antibullying? 13 A. If I recall correctly, it never 14 occurred on the -- it didn't occur on 15 February 1st. 16 Q. It did not? 17 A. It did not occur on February 1st. 18 Q. Was the event cancelled? 19 A. Correct. It was rescheduled. 20 Q. Rescheduled. And when did Marcia 21 McEvoy come back to Howell? 22 A. It's a couple weeks or a month 23 later. 24 Q. And what was the discussion that 25 Marcia McEvoy had when she came back?</p>	<p>1 Q. And what exactly was her role in 2 giving a presentation to the students? When 3 did it occur? 4 A. Ways they could help combat 5 bullying. 6 Q. Was this during school hours? 7 A. Yes. 8 Q. And was it, like, a school-wide 9 assembly? Was it, like, a private meeting? 10 A. I would say it was classified more 11 school-wide. We don't have a place that holds 12 everybody together. So we had different groups 13 of students coming in, their English classes or 14 something like that. 15 Q. Were all the students in the high 16 school at some point given the presentation? 17 A. I don't think it was all of them. 18 I think it was -- it might have been ninth, 19 tenth, eleventh grade students. I don't recall 20 all the specifics. 21 Q. Do you recall what grade Daniel 22 Glowacki was in in 2010 and 2011, that school 23 year? 24 A. It must have been eleventh grade. 25 Q. Was he given the presentation by</p>
Page 74	Page 76
<p>1 A. Just ways for -- ways to help 2 prevent bullying, to address bullying. 3 Q. And what exactly was it that she 4 was discussing when she was talking about 5 bullying? Was it bullying certain groups of 6 students? 7 A. No, just bullying, period. 8 Q. And I'm wondering, why was this 9 presentation given after October 20th of 2010? 10 A. Just her schedule. 11 Q. So it was always planned? 12 A. Yeah, that was part of the -- part 13 of the package is my understanding. My 14 understanding, this was decided on -- I believe 15 it was decided on. Back then, we just couldn't 16 get her in until January. Because she came in 17 with students in January, but that was the 18 quickest we could get her in, I believe. 19 Q. Did she give a presentation two 20 times that winter in 2011 to students? 21 A. To parents? 22 Q. To students and the community 23 or -- 24 A. She was there for multiple days 25 for students.</p>	<p>1 Dr. McEvoy? 2 A. I don't know. I assume so, but I 3 don't know if he was present when it occurred 4 or not. 5 Q. Did you attend the presentation or 6 presentations? 7 A. Which one? 8 Q. The one -- the presentation or 9 presentations with the students. 10 A. I was in some of the student 11 presentations. 12 Q. Were you in the presentation where 13 Daniel Glowacki was present? 14 A. I don't know if he was there or 15 not. I couldn't -- I don't recall. 16 Q. Have you gone through the 17 different literature by Dr. McEvoy? 18 A. Uh-huh. 19 Q. Are you aware that she says -- she 20 brings up different examples of things to bring 21 up with students? 22 A. Uh-huh. 23 Q. Like calling another person gay? 24 A. Uh-huh. 25 Q. Would this be a sample situation</p>